

CITY OF MEDINA
PLANNING COMMISSION MEETING

September 7, 2005
7:00 p.m.

Medina City Hall
501 Evergreen Point Road

CALL TO ORDER

Mark Nelson called the September 7, 2005, Planning Commission meeting to order at 7:09 p.m.

ROLL CALL

Present: Mark Nelson, Chair; Jim Lawrence, Vice-Chair
Commissioners: Holly Greenspoon, Bret Jordan,
Judie O'Brien, Gerry Zyfers, and Debra Ricci (Late Arrival)

Staff Present: Joseph Gellings, Director of Development Services; Tim Tobin, City Engineering Consultant; Bob Rohrbach, Building Official; and Craig Fischer, Information Systems Coordinator

ANNOUNCEMENTS

Gellings reported that the City Council had recently undertaken a formal evaluation of the construction mitigation process. Councilmembers were all in concurrence that the policy is indeed effective and asked for only a few minor changes from the Commission. Gellings noted that the topic would be added to the Commission's work plan for future discussion/action.

MINUTES

MOTION JORDAN, SECOND LAWRENCE TO APPROVE MINUTES FROM AUGUST 2, 2005 PLANNING COMMISSION MEETING, MOTION PASSED 6-0; 7:11 PM.

PUBLIC HEARING

Construction Mitigation Plan, Level 2
2623 Northeast Eighth Street, Medina (7:13 pm)

Tobin read Staff Report, recommended approval with 3 minor additions:

- (1) Prior to start of house demolition, 24" x 24" signs shall be posted on the north side of the private lane, at both the street entrance and inland entrance, that reads:

“Private lane shall remain open at all times. Do not park in or block private lane. Flagger escort required for trucks backing in lane.”

- (2) If determined by City Engineering Consultant that existing fencing and vegetation do not provide sufficient screening/buffering along north property line, the City Engineering Consultant shall have the authority to require installation of temporary construction fencing with opaque covering. City Engineering Consultant shall determine height, length, and location of such temporary fencing. Such temporary fencing shall be installed within 7 calendar days.
- (3) Neighbors affected by utility disruption shall be notified at least 48 hours in advance. All reasonable measures shall be taken to minimize frequency and duration of utility service disruption.

Tobin read an email containing comment from neighbor Ms. Byrne whose concerns were traffic congestion and other nearby projects taking place simultaneously. Commissioners then discussed concerns of neighbor and possible measures to address them.

Commissioner Ricci arrived at 7:28 p.m.

Dan Newell, Property Owner, 2623 Evergreen Point Road Medina, WA 98039

After first being duly administered an oath, Mr. Newell further addressed comments from neighbor. He stated that the siting was moved further south from the neighbor to the north.

Andrew Van Leeuwen, Project Architect, 530 West Olympic Pl #303, Seattle, WA 98119

After first being duly administered an oath, Mr. Van Leeuwen addressed the screening and answered questions about who the general contractor was for the project.

MOTION JORDAN, SECOND ZYFERS TO APPROVE CONSTRUCTION MITIGATION PLAN C070705-1032 WITH THE FOLLOWING CONDITIONS:

- (1) PRIOR TO START OF HOUSE DEMOLITION, 24" X 24" SIGNS SHALL BE POSTED ON THE NORTH SIDE OF THE PRIVATE LANE, AT BOTH THE STREET ENTRANCE AND INLAND ENTRANCE, THAT READS:
"PRIVATE LANE SHALL REMAIN OPEN AT ALL TIMES. DO NOT PARK IN OR BLOCK PRIVATE LANE. FLAGGER ESCORT REQUIRED FOR TRUCKS BACKING IN LANE."
- (2) IF DETERMINED BY CITY ENGINEERING CONSULTANT THAT EXISTING FENCING AND VEGETATION DO NOT PROVIDE SUFFICIENT SCREENING/BUFFERING ALONG NORTH PROPERTY LINE, THE CITY ENGINEERING CONSULTANT SHALL HAVE THE AUTHORITY TO REQUIRE INSTALLATION OF TEMPORARY CONSTRUCTION FENCING WITH OPAQUE COVERING. CITY ENGINEERING CONSULTANT SHALL DETERMINE HEIGHT, LENGTH, AND LOCATION OF SUCH TEMPORARY FENCING. SUCH TEMPORARY FENCING SHALL BE INSTALLED WITHIN 7 CALENDAR DAYS.
- (3) NEIGHBORS AFFECTED BY UTILITY DISRUPTION SHALL BE NOTIFIED AT LEAST 48 HOURS IN ADVANCE. ALL REASONABLE MEASURES SHALL BE TAKEN TO MINIMIZE FREQUENCY AND DURATION OF UTILITY SERVICE DISRUPTION.

MOTION PASSED 7-0, 7:33 PM.

Construction Mitigation Plan, Level 2
2646 78TH Avenue NE, Medina (7:34 pm)

Tobin summarized staff report and read letter from neighbor, which discussed waiving the temporary noise wall since a permanent wall was to be installed prior to commencement of the project.

The commissioners discussed location of the honeybucket and trigger(s) that sent the project from level 1 to level 2.

Erin Jacobsen, Agent for Owner, PO Box 566, Medina, WA 98039

After first being duly administered an oath, Ms. Jacobsen addressed the location of the honeybucket. She stated it was sited due to the excavation that would take place and that it was to be fully screened as well. She then informed the Commissioners that the square footage of the garage was what triggered the second level of construction mitigation.

MOTION JORDAN, SECOND ZYFERS TO APPROVE CONSTRUCTION MITIGATION PLAN C020205-0983 WITH THE FOLLOWING CONDITION:

- (1) REQUIREMENTS FOR TEMPORARY CONSTRUCTION FENCING ARE DELETED PROVIDED THE PERMANENT FENCING IS INSTALLED AT THE COMMENCEMENT OF THE PROJECT.

MOTION PASSED 7-0, 7:44 PM.

DISCUSSION

Building Permit Thresholds (7:48 pm)

Gellings began the discussion by introducing the building official, Bob Rohrbach. He then stated they would both be speaking to the threshold subject. Gellings would begin by addressing the zoning code aspect and then Rohrbach would discuss the plan review aspect.

Gellings went into detail about how accessory structures, rather than new homes, are what can complicate the zoning code with respect to building permits.

Rohrbach gave examples of how accessory structures can tend to bring out more emotion from owners. He stated that the priority on the plan review end is safety. If the city did not regulate some of these structures thru plan review, public safety could be jeopardized. Lastly, Rohrbach introduced the idea that reduced regulation would most likely usher in some abuse by those who may "cheat" the policy.

The Commissioners discussed the merits of both zoning code and plan reviews. They were in agreement that they would like staff to provide clear examples of problem areas in both the zoning code and plan review arenas of review.

The decision was made that Gellings and Rohrbach will provide a list of examples for the Commissioners to review and discuss at the October 4, 2005 meeting.

Nonconforming Envelopes (8:27 pm)

Gellings reported on follow up action required of him from last discussion. First he touched on his draft of a problem statement. Second, he provided some project profiles of actual examples of proposed additions within nonconforming envelopes requiring zoning code allowances.

The Commissioners first took a look at the draft problem statement. After some lengthy discussion they then turned to a review of the examples Gellings had provided.

Some questioned what other jurisdictions had nonconforming allowance policies in their codes. Gellings informed them that Seattle and Bainbridge Island were the only other 2 that he knew of and both had well defined limits. He stated that most other jurisdictions handle allowances like these through their variance process.

After continued discussion Commissioner Zyfers formulated a new problem statement, which read:

“We want to encourage remodel to allow people to upgrade for more current lifestyles rather than encouraging tear down with sensitivity to neighbor impact.”

Gellings stated that perhaps Nonconforming Envelopes could be modeled after the Minor Deviations policy. The commissioners discussed the idea of this and ultimately agreed with Gellings. They then discussed how these allowances could affect owners and identified 5 areas of impact:

1. Noise
2. Light
3. Privacy
4. View
5. Bulk

After some further discussion, the Commissioners directed Gellings to provide examples of proposed projects illustrating any and all of the impacts listed above that would be the direct result of development within nonconforming envelopes.

ADJOURNMENT

THE SEPTEMBER 7, 2005, PLANNING COMMISSION MEETING ADJOURNED, 9:27 PM.

The September 7, 2005, Planning Commission meeting was adjourned, 9:27 pm.

The next Planning Commission meeting is scheduled for Tuesday,
October 4, 2005, 7:00 pm.

Minutes taken by:

Craig Fischer
Information Systems Coordinator